

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

IN RE:

MELANIE S LAUDATO
1052 MT VIEW LN
DUANESBURG, NY 12056

Case No.: 09-12764

Chapter 13

HEARING DATE: Oct 29, 2009

TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

Andrea E. Celli, Chapter 13 Standing Trustee for the Northern District of New York (the "Trustee") states the following as and for her objection to confirmation of the Chapter 13 Plan. The Debtor(s) filed the petition for relief on Jul 28, 2009.

The Proposed Plan is as follows:

\$389/MO X 60 MOS, 0%

The Trustee objects to the confirmation of the proposed plan on the following grounds:

The Trustee has determined that the debtor'(s)' income is below the State Median Income.

X LIQUIDATION: The Plan does not provide general unsecured Creditors with at least as much as they would have received if the Debtor had filed a Chapter 7 liquidation proceeding as required pursuant to 11 U.S.C. Section 1325(a)(4). Trustee's initial minimum liquidation calculation = \$.00 .

- NEED INFO

X INFORMATION NEEDED: The Trustee cannot determine if all provisions of 11 U.S.C. Section 1325 have been met and requests additional information to assist in her determination, as follows:

- BANK STATEMENTS FOR DATE OF FILING - TRUSTCO #500
AND TRUSTCO #456
- CMA FOR REAL PROPERTY
- INFO RE: POSSIBLE CAUSE OF ACTION - MEDICAL MALPRACTICE
- INFO RE: A/R FROM MCBRIDE AS TESTIFIED AT 341 MEETING

WHEREFORE, the Trustee respectfully requests that this Court issue an Order denying confirmation of the plan or briefly adjourning the hearing on confirmation to allow the movant to resolve the objection contained herein.

Dated: October 15, 2009

/S/ ANDREA E. CELLI

Andrea E. Celli, Chapter 13 Trustee
7 Southwoods Blvd.
Albany, New York 12211

CERTIFICATE OF MAILING

The undersigned hereby certifies that a copy of this objection was mailed this date to the parties noted below:

Dated: October 15, 2009

Signed: /s/ SANDRA L. SPRING

Debtor(s) above

Attorney: RICHARD CROAK & ASSOC.
314 GREAT OAKS BLVD
ALBANY, NY 12203

Sworn to me on this the 15th day of October, 2009.

/s/ Cheryl Corning

Notary Public State of New York
CHERYL CORNING, NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN RENNSSELAER COUNTY #01C06024424
COMMISSION EXPIRES MAY 10, 2011